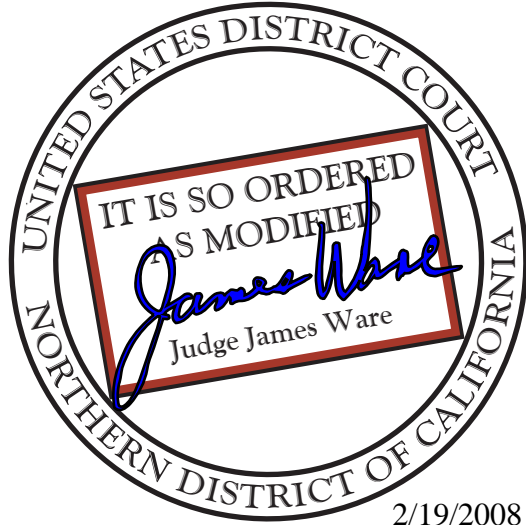


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9 Attorneys for Plaintiff

10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION

13 UNITED STATES OF AMERICA,) No. CR-06-00424 JW
14 Plaintiff,)
15) STIPULATION CONTINUING STATUS
16 v.) DATE, SETTING BRIEFING SCHEDULE,
17) AND EXCLUDING TIME AND
18) [PROPOSED] ORDER
19)
20 LAN LEE,)
a/k/a Lan Li, and)
YUEFEI GE,)
Defendants.)

21 **IT IS HEREBY STIPULATED AND AGREED**, by and between Joseph P., Russoniello,
22 United States Attorney, and Matthew A. Parrella, Assistant United States Attorney, counsel for
23 the United States of America, and Thomas J. Nolan, Esq. and Edward W. Swanson, Esq., counsel
24 for defendants, that the status date currently scheduled for February 25, 2008, be vacated and
25 continued to March 17, 2008, or to a date thereafter at the convenience of the Court.

26 This Stipulation is entered into for the following reasons:

27 1. The defendants filed a motion to suppress certain evidence on February 11, 2008.

28 The matter is presently scheduled for hearing upon that motion on February 25, 2008.

1 2. In order that the matter may be fully briefed, the parties have agreed to the
2 following schedule:

- 3 • March 3, 2008: Government's Opposition.
- 4 • March 10, 2008: Defendants' Reply.
- 5 • March 17, 2008: Hearing on motion and Status date.

6 3. Supplemental discovery has been provided to the defendants and additional time
7 is needed to complete tat review of these items.

8 4. Counsel for the defendants have spoken with the defendants and the defendants
9 have no objections to the continuance or the briefing schedule sought herein.

10 5. The defendants are not in custody.

11 6. This continuance is sought to save the court's time and resources, to allow time
12 for the Defendants and the Government to fully brief the filed motion, to evaluate and analyze
13 discovery information which will have a bearing on the future course of the indictment, and for
14 effective preparation of counsel.

15 7. Additionally, denial of this request could result in a miscarriage of justice, taking
16 into account the exercise of due diligence.

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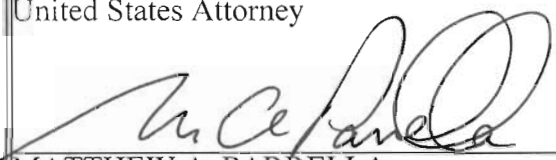
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27 STIPULATION CONTINUING STATUS DATE,
28 SETTING BRIEFING SCHEDULE, AND
EXCLUDING TIME, AND [PROPOSED] ORDER

1 8. The additional time requested by this stipulation is excludable in computing the
2 time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18,
3 United States Code, Sections 3161(h)(1)(F), 3161(h)(7), and 3161(H)(8)(A), considering the
4 factors under Title 18 United States Code, Sections 3161(h)(8)(B)(I) and 3161(h)(8)(B)(iv).

5
6 DATED this _14th_ day of February, 2008.

7
8 JOSEPH P. RUSSONIELLO
United States Attorney

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10 
11 MATTHEW A. PARRELLA
Assistant United States Attorney

2-14-08
DATE

12
13 /s/
14 THOMAS J. NOLAN
Attorney for Defendant LEE

2-14-08
DATE

15
16 /s/
EDWARD W. SWANSON
Attorney for Defendant GE

2-14-08
DATE

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27 STIPULATION CONTINUING STATUS DATE,
28 SETTING BRIEFING SCHEDULE, AND
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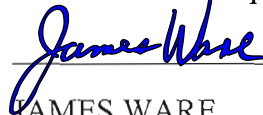
1 Based upon the foregoing representations made by the parties by stipulated motion, and
2 good cause appearing therefor,

3 **IT IS HEREBY ORDERED** that the time between February 25, 2008, and March 17,
4 2008 shall be excluded from the computation the period within which the trial must commence,
5 for the reasons and based upon the statutory provisions set forth above, and for those reasons
6 proffered by the parties. The Court finds that the ends of justice outweigh the interests of the
7 public and the parties in a speedier trial based upon the grounds set forth above.

8 **IT IS FURTHER ORDERED** that the matter shall be removed from the Court's
9 calendar on February 25, 2008, and continued to March 17, 2008, or a date thereafter at the
10 convenience of the Court.

11 The Court sets hearing on Defendants' Motion to Suppress evidence as stipulated to be heard on
12 March 17th, 2008 at 1:30PM. The Court sets a further status hearing to be heard following the
13 Motions to Suppress evidence. The Court will not entertain further requests for continuance.

14 Dated: February 19, 2008

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16 JAMES WARE
17 United States District Judge
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27 STIPULATION CONTINUING STATUS DATE,
28 SETTING BRIEFING SCHEDULE, AND
EXCLUDING TIME, AND [PROPOSED] ORDER